

**MINUTES OF
FAIRFAX COUNTY PLANNING COMMISSION
WEDNESDAY, SEPTEMBER 18, 2002**

PRESENT: Walter L. Alcorn, Commissioner At-Large
John R. Byers, Mount Vernon District
Frank de la Fe, Hunter Mill District
Joan M. DuBois, Dranesville District
Janet R. Hall, Mason District
Suzanne F. Harsel, Braddock District
John B. Kelso, Lee District
Ronald W. Koch, Sully District
Ilryong Moon, Commissioner At-Large
Peter F. Murphy, Jr., Springfield District
Laurie Frost Wilson, Commissioner At-Large

ABSENT: Linda Q. Smyth, Providence District

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The meeting was called to order at 8:25 p.m. by Chairman Peter F. Murphy, Jr., in the Board Auditorium of the Fairfax County Government Center at 12000 Government Center Parkway, Fairfax, Virginia 22035.

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COMMISSION MATTERS

FSA-V97-13-1 - SPRINT - 8101 Lorton Road

Commissioner Byers MOVED THAT WE CONCUR IN THE DETERMINATION THAT FSA-V97-13-1 IS A "FEATURE SHOWN" IN ACCORDANCE WITH THE CODE OF VIRGINIA.

Commissioner Hall seconded the motion which carried by a vote of 8-0-1 with Commissioner Kelso abstaining; Commissioners Harsel and Moon not present for the vote; Commissioner Smyth absent from the meeting.

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Commissioner Alcorn announced his intent to defer the public hearing on a Zoning Ordinance Amendment for Athletic Facilities, scheduled for September 19, 2002, to October 30, 2002.

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Commissioner Byers announced his intent to defer the decision on SEA-98-V-042, Belle Haven Country Club, scheduled for September 19, 2002, to September 26, 2002.

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Commissioner Koch MOVED THAT THE PUBLIC HEARING ON PCA-78-S-063-3, WESTFIELDS CORPORATE CENTER ASSOCIATES LP, BE DEFERRED TO OCTOBER 16, 2002.

Commissioner Byers seconded the motion which carried unanimously with Commissioner Moon not present for the vote; Commissioner Smyth absent from the meeting.

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Commissioner Hall MOVED TO DEFER THE PUBLIC HEARING ON RZ-2002-MA-015, NATIONAL CAPITAL LAND & DEVELOPMENT, TO A DATE CERTAIN OF NOVEMBER 13, 2002.

Commissioner Byers seconded the motion which carried unanimously with Commissioner Moon not present for the vote; Commissioner Smyth absent from the meeting.

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Commissioner Kelso MOVED TO DEFER THE PUBLIC HEARING ON RZ-2001-LE-048 AND FDP-2001-LE-048, CENTEX HOMES, TO A DATE CERTAIN OF OCTOBER 10, 2002.

Commissioner Byers seconded the motion which carried unanimously with Commissioner Moon not present for the vote; Commissioner Smyth absent from the meeting.

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Commissioner Murphy referred to application PCA-86-W-001-8, Board of Supervisors' Own Motion, and applications PCA-86-W-001-9, FDPA-86-W-001-5-2-1, CDPA-86-W-001-3, PCA-86-P-089-5, and FDPA-86-P-089-2, Fair Lakes Metropolitan Square II LLC, and MOVED THAT WE FURTHER DEFER THE DECISION ONLY ON ALL THESE ITEMS TO A DATE CERTAIN OF SEPTEMBER 19, 2002, WITH THE RECORD REMAINING OPEN FOR WRITTEN COMMENT.

Commissioner Byers seconded the motion which carried unanimously with Commissioner Moon not present for the vote; Commissioner Smyth absent from the meeting.

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ORDER OF THE AGENDA

Secretary Harsel set the following order for the agenda:

1. RZ-2001-LE-024/FDP-2001-LE-024 - EQUITY HOMES, LP
2. PCA-1998-SU-040 - FAIRFAX CENTER COMMERCIAL, LLC
3. SEA-00-Y-018 - BROOKFIELD PLEASANT VIEW, LLC
4. SE-2002-DR-015 - IVY DEVELOPMENT
5. PCA-84-P-114-3 - WINCHESTER HOMES INC.
SEA-84-P-129-3 - WINCHESTER HOMES INC.

This order was accepted without objection.

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RZ-2001-LE-024/FDP-2001-LE-024 - EQUITY HOMES, LP - Appls. to rezone from R-1 to PDH-3 to permit residential development at a density of 2.93 du/ac and approval of the conceptual and final development plans on property located at the intersection of Old Telegraph Rd. and Telegraph Rd. on approx. 6.14 ac. Comp. Plan Rec: 2-3 du/ac. Tax Map 100-1((2))1-3; ((4))1; ((9))A, 1 & 2. LEE DISTRICT. PUBLIC HEARING.

Gregory Riegle, Esquire, with McGuire Woods, LLP, reaffirmed the affidavit dated August 27, 2002. There were no disclosures by Commission members.

Ms. Cathy Lewis, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff report, a copy of which is in the date file. She noted that staff recommended denial of the application due to unresolved issues with consolidation, design/site layout, and buffering.

Mr. Riegle presented a brief land use history of the site, noting that this application would eliminate four driveway/entrances on Telegraph Road and reorient access to Old Telegraph Road. He stated that all seven parcels recommended for consolidation in the Comprehensive Plan were included in the application and disagreed with staff's suggestion that parcels 3 and 4 be added. He explained that the proposed layout was designed to accommodate the realigned access and save trees. In conclusion, Mr. Reigle maintained this was a balanced and appropriate plan for the subject property.

Commissioner Kelso explained how the Telegraph Road Study had altered the recommendations for the subject property.

Mr. Riegle responded to questions from Commissioners Wilson, Byers and Hall regarding tree save, distance between houses, and the type of sound wall to be provided along Telegraph Road, respectively.

Chairman Murphy called the first listed speaker and recited the rules for public testimony.

Mr. Luther Mannis, 7828 Old Telegraph Road, Alexandria, suggested that a traffic signal was needed at the intersection of Telegraph and Old Telegraph Roads.

Ms. Jenise Koca, 6060 Piney Branch Run Drive, Alexandria, said development of the subject property should be delayed until Telegraph Road was widened.

Commissioner Kelso commented that a traffic study had been conducted of this area and that the vehicle counts did not warrant a traffic signal.

There being no further speakers, Chairman Murphy called upon Mr. Riegle who explained that the applicant was dedicating land for the widening of Telegraph Road and would make the improvements to Old Telegraph Road necessary for the proposed development. He reiterated that four existing access points to Telegraph Road would be removed, thereby improving the traffic situation somewhat in that area. He explained that the sound wall to be provided was carefully designed in collaboration with the citizens of the Lee District Land Use Advisory Committee, with landscaping outside the wall to minimize the visual impact.

Mr. Riegle responded to questions from Commissioners Hall, Murphy, and Wilson regarding tree save, traffic impact, and architectural appearance of the proposed homes, respectively.

Ms. Lewis responded to questions from Commissioner Hall regarding the setbacks.

Mr. Riegle responded to further questions from Commissioners Hall and Wilson regarding maintenance of open space, setbacks and trails.

Regarding the issue of parcels 3 and 4, Commissioner Kelso explained that, unbeknownst to staff and the Commission, the owner of the veterinary clinic on Telegraph Road had already purchased parcel 3 and was negotiating the purchase of parcel 4 for the purpose of subdividing the two lots with a portion to provide additional parking for the clinic and the remainder for residential use.

There being no further comments or questions from the Commission and Ms. Lewis having no closing staff remarks, Chairman Murphy closed the public hearing and recognized Commissioner Kelso for action on this case. (A verbatim transcript is in the date file.)

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Commissioner Kelso MOVED THAT THE PLANNING COMMISSION DEFER DECISION ON RZ-2001-LE-024 AND FDP-2001-LE-024, EQUITY HOMES, WITH THE RECORD REMAINING OPEN FOR WRITTEN COMMENT, TO A DATE CERTAIN OF SEPTEMBER 19, 2002.

Commissioner Byers seconded the motion which carried unanimously with Commissioners Alcorn, Harsel and Moon not present for the vote; Commissioner Smyth absent from the meeting.

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The next case being in the Springfield District, Vice Chairman Byers assumed the Chair.

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PCA-1998-SU-040 - FAIRFAX CENTER COMMERCIAL, LLC - Appl. to amend the proffers for RZ-1998-SU-040 to permit commercial development with an overall FAR of 0.14, located in the N.E. quadrant of the intersection of Lee Hwy. and Monument Dr. on approx. 12.10 ac. zoned C-6. Comp. Plan Rec: Fairfax Center Area: Mixed use at 0.25 FAR at overlay level. Tax Map 56-2 ((1)) 70A. SPRINGFIELD DISTRICT. PUBLIC HEARING.

Ms. Susan Yantis, a planner with Walsh, Colucci, Stackhouse, Emrich and Lubeley, reaffirmed the affidavit dated August 19, 2002. There were no disclosures by Commission members.

Ms. Jennifer Josiah, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff report, a copy of which is in the date file. She noted that staff recommended approval of the application.

Ms. Yantis explained that the subject property was part of a larger assemblage known as the Carney-Smith tract approved for rezoning in 1999. She listed the amenities provided by the overall development, including road improvements, stormwater management, athletic fields, parks, streetscaping and pedestrian circulation system. She stated that the property was zoned C-6 to permit development of 94,400 square feet of retail use and 89,000 square feet of office use, with a Special Exception for a drive-in bank, service station and fast food restaurant.

Ms. Yantis said that the purpose of the subject application was to amend the development plan approved with the rezoning to permit construction of a Wegmans Food Market, a business based in Rochester, New York. She noted that the building would consist of 125,000 square feet, a reduction that resulted in a better site design, increased buffer and open space, and stronger proffer commitments. She said that Commissioner Murphy had pointed out a need for pedestrian signals at the intersection of Government Center Parkway and Monument Drive and that the proffers would be amended prior to the Board of Supervisors hearing on Monday, September 23, 2002, to include that provision.

Commissioner Murphy explained that the applicant had presented its proposal to the Springfield/Fairfax Center Land Use Committee and gained its support. He added that, in response to an issue raised by the residents of Leehigh Village, a residential neighborhood across the street from the subject property, staff had contacted the Virginia Department of Transportation

(VDOT) regarding timing of the traffic signal at the intersection of Lee Highway and Village Drive, which resulted in a change to a signal down the road in Fairfax City that hopefully would contribute to improved traffic flow in that area. He applauded the applicant for the proposed reduction in intensity and for agreeing to additional provisions for pedestrians.

Vice Chairman Byers called the only listed speaker.

Eric Janson, Esquire, representing Parkside at Fairfax Center, supported the applicant's proposal in that it represented an improvement over the original plan, but suggested that the entrance for deliveries was too close to the residential area. He also questioned how VDOT's plans for Lee Highway might affect this site and why so many waivers and modifications were requested.

There being no other speakers, Vice Chairman Byers called upon Ms. Yantis for rebuttal.

Ms. Yantis explained that the entrances to the subject property were determined during the 1999 rezoning and that there was no alternative for deliveries. She added that the transitional screening and barrier waivers were essentially the same as those approved in 1999, but that the applicant planned a fence and landscaping to mitigate the visual impact of the store.

Ms. Yantis responded to questions from Commissioner Byers regarding the elevation of the property and location of the proposed landscaping.

In response to questions from Commissioner Wilson, Ms. Yantis explained that funds for a trail along Lee Highway had been escrowed during the earlier rezoning process.

At Commissioner Wilson's request, Mr. Chuck Almquist, Fairfax County Department of Transportation, explained that the dollar amounts required for trails were established by the Department of Public Works and Environmental Services.

There being no further comments or questions from the Commission and Ms. Lewis having no closing staff remarks, Vice Chairman Byers closed the public hearing and recognized Commissioner Murphy for action on this case. (A verbatim transcript is in the date file.)

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Commissioner Murphy MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THAT IT APPROVE PCA-1998-SU-040, SUBJECT TO THE PROFFERS DATED SEPTEMBER 17, 2002.

Commissioners Koch and Hall seconded the motion which carried by a vote of 10-0-1 with Commissioner Moon abstaining; Commissioner Smyth absent from the meeting.

Commissioner Murphy MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THAT IT MODIFY THE TRANSITIONAL SCREENING REQUIREMENT ALONG THE EASTERN LOT LINE IN FAVOR OF THE EXISTING VEGETATION AND A MODIFICATION OF THE TRANSITIONAL SCREENING REQUIREMENT ALONG THE NORTHERN AND WESTERN LOT LINES IN FAVOR OF THE PROPOSED LANDSCAPING.

Commissioners Koch and Hall seconded the motion which carried by a vote of 10-0-1 with Commissioner Moon abstaining; Commissioner Smyth absent from the meeting.

Commissioner Murphy MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THAT IT APPROVE A WAIVER OF THE BARRIER REQUIREMENT ALONG THE NORTHERN, EASTERN, AND WESTERN LOT LINES.

Commissioners Koch and Hall seconded the motion which carried by a vote of 10-0-1 with Commissioner Moon abstaining; Commissioner Smyth absent from the meeting.

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Prior to the hearing of the next case, Chairman Murphy resumed the Chair.

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SEA-00-Y-018 - BROOKFIELD PLEASANT VIEW, LLC - Appl. under Sects. 9-615 of the Zoning Ordinance to amend SE-00-Y-018 previously approved for a cluster subdivision to permit modification of development conditions on property located on the S. side of Braddock Rd., approx. 1,250 ft. E. of its intersection with Pleasant Valley Rd. on approx. 48.24 ac. zoned R-C and WS. Tax Map 43-1((2))1-20; 30-40; 43-3((4))21-29. SULLY DISTRICT. PUBLIC HEARING.

Lynne Strobel, Esquire, with Walsh, Colucci, Stackhouse, Emrich and Lubeley, reaffirmed the affidavit dated August 19, 2002. There were no disclosures by Commission members.

Commissioner Koch asked that Chairman Murphy ascertain whether there were any speakers for this application. There being none, he asked that presentations by staff and the applicant be waived and the public hearing closed. No objections were expressed, therefore Chairman Murphy closed the public hearing and recognized Commissioner Koch for action on this case. (A verbatim transcript is in the date file.)

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Commissioner Koch MOVED THAT SEA-00-Y-018, BROOKFIELD PLEASANT VIEW LLC, BE DEFERRED FOR DECISION ONLY, LEAVING THE RECORD REMAINING OPEN FOR WRITTEN COMMENT, UNTIL SEPTEMBER 19, 2002.

Commissioner Hall seconded the motion which carried unanimously with Commissioner Byers not present for the vote; Commissioner Smyth absent from the meeting.

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SE-2002-DR-015 - IVY DEVELOPMENT, LC - Appl. under Sects. 9-615 of the Zoning Ordinance to permit a cluster subdivision on property located on the E. side of Utterback Store Rd., approx. 200 ft. N. of its intersection with Farm Rd. on approx. 6.08 ac. zoned R-E. Tax Map 7-3 ((7)) E. DRANESVILLE DISTRICT. PUBLIC HEARING.

Lynne Strobel, Esquire, with Walsh, Colucci, Stackhouse, Emrich and Lubeley, reaffirmed the affidavit dated August 30, 2002. There were no disclosures by Commission members.

Mr. William Mayland, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff report, a copy of which is in the date file. He noted that staff recommended denial of the application because it did not meet the minimum 10-acre requirement for a cluster subdivision.

Ms. Strobel explained that the three clustered residential lots proposed by the applicant would result in less impervious surface and more extensive tree save, including a grove of holly trees, than would be possible under by-right development. She maintained that the proposed design met Comprehensive Plan objectives and was supported by citizens in the area.

In response to questions from Commissioner Wilson regarding access to Lot 3 and a trail along Utterback Store Road, Mr. Paul Jeannin, Planning and Development Services, explained the street pattern and Mr. Mayland explained the trail provisions.

Chairman Murphy called the first listed speaker.

Mr. John Ulfelder, 9151 Old Dominion Drive, McLean, representing the Great Falls Citizens Association, supported the application. He commended the applicant for its cooperation and concurred with Ms. Strobel's remark that the proposal was superior to by-right development.

Mr. Douglas Davis, 825 Utterback Store Road, Great Falls, spoke in opposition. He stated that two houses would be more appropriate and that he would not allow any access easement across his property.

There being no further speakers, Chairman Byers called upon Ms. Strobel for rebuttal.

Ms. Strobel explained that the property had direct access to Utterback Store Road, therefore no access easements were needed. She added that three homes could be built on the property under a by-right development, but more trees would be lost with larger lot sizes.

There being no comments or questions from the Commission and Mr. Mayland having no closing staff remarks, Chairman Murphy closed the public hearing and recognized Commissioner DuBois for action on this case. (A verbatim transcript is in the date file.)

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Commissioner DuBois MOVED THAT WE DEFER DECISION ONLY ON SE-2002-DR-015, IVY DEVELOPMENT LC, TO A DATE CERTAIN OF SEPTEMBER 19, 2002.

Commissioners de la Fe and Byers seconded the motion which carried unanimously with Commissioner Smyth absent from the meeting.

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Prior to the hearing of this case in the Springfield District, Vice-Chairman Byers once again assumed the Chair.

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PCA-84-P-114-3 - WINCHESTER HOMES INC. - Appl. to amend the proffers for RZ-84-P-114 to permit a medical care facility at an overall FAR of 0.25 and residential development at a density of 4.75 du/ac. Located on the S. side of Lee Jackson Mem. Hwy., approx. 1,000 ft. E. of the Fairfax Co. Pkwy. on approx. 14.87 ac. zoned R-5 and HC. Comp. Plan Rec: Fairfax Center Area: 6 du/ac at overlay level. Tax Map 45-4((1))6A. (Concurrent with SEA-84-P-129-3.) SPRINGFIELD DISTRICT.

SEA-84-P-129-3 - WINCHESTER HOMES INC. - Appl. under Sects. 3-504 of the Zoning Ordinance to amend SE-84-P-129 previously approved for medical care facility and housing for the elderly to permit a medical care facility and deletion of land area. Located at 12475 Lee Jackson Mem. Hwy. on approx. 14.87 ac. zoned R-5 and HC. Tax Map 45-4((1))6A. (Concurrent with PCA-84-P-114-3.) SPRINGFIELD DISTRICT. JOINT PUBLIC HEARING.

Francis McDermott, Esquire, with Hunton and Williams, reaffirmed the affidavit dated September 5, 2002. There were no disclosures by Commission members.

Mr. William Mayland, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff report, a copy of which is in the date file. He noted that staff recommended approval of the application.

Mr. McDermott explained that the applicant was requesting approval to build 25 single family attached units at a density of 4.42 dwelling units per acre. He discussed the design details and noted that the proposed pocket park would be available to the residents of the adjacent medical care facility.

In response to questions from Commissioner Wilson, Mr. McDermott explained that there was an existing tot lot in an adjacent development and a County-owned park nearby, both within walking distance.

In response to a question from Commissioner Hall, Mr. McDermott said the proposed townhouses were expected to sell at \$400,000 and up.

Commissioner Wilson commended the applicant for agreeing not to post the so-called "popsicle" signs as a marketing tool.

Vice Chairman Byers called for speakers from the audience, but received no response. He noted that no rebuttal was necessary. There being no further comments or questions from the Commission or closing staff remarks, he closed the public hearing and recognized Commissioner Murphy for action on this case. (A verbatim transcript is in the date file.)

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Commissioner Murphy MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THAT IT APPROVE PCA-84-P-114-3, SUBJECT TO THE PROFFERS CONSISTENT WITH THOSE CONTAINED IN APPENDIX 1 OF THE STAFF REPORT, AND DATED SEPTEMBER 3, 2002.

Commissioner Hall seconded the motion which carried unanimously with Commissioner Smyth absent from the meeting.

Commissioner Murphy MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THAT IT APPROVE SEA-84-P-129-3, SUBJECT TO THE DEVELOPMENT CONDITIONS CONTAINED IN APPENDIX 2 OF THE STAFF REPORT.

Commissioner Hall seconded the motion which carried unanimously with Commissioner Smyth absent from the meeting.

Commissioner Murphy MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THAT IT APPROVE A MODIFICATION OF THE TRANSITIONAL SCREENING AND WAIVER OF THE BARRIER REQUIREMENTS FOR THE MEDICAL CARE FACILITIES ALONG THE PERIMETER OF THE SITE AND BETWEEN THE MEDICAL CARE FACILITIES AND THE SINGLE FAMILY ATTACHED UNITS IN ACCORDANCE WITH THE GENERAL DEVELOPMENT PLAN.

PCA-84-P-114-3 - WINCHESTER HOMES INC.
SEA-84-P-129-3 - WINCHESTER HOMES INC.

September 18, 2002

Commissioner Hall seconded the motion which carried unanimously with Commissioner Smyth absent from the meeting.

Commissioner Murphy MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THAT IT APPROVE A WAIVER OF THE 600-FOOT MAXIMUM LENGTH OF PRIVATE STREETS FOR THE SINGLE FAMILY ATTACHED DWELLING UNIT PORTION OF THE SITE.

Commissioner Hall seconded the motion which carried unanimously with Commissioner Smyth absent from the meeting.

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Chairman Murphy resumed the Chair and adjourned the meeting.

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The meeting was adjourned at 10:35 p.m.
Peter F. Murphy, Jr., Chairman
Suzanne F. Harsel, Secretary

For a verbatim record of this meeting, reference may be made to the audio and video recordings which may be found in the Office of the Planning Commission of Fairfax County, Virginia.

Minutes by: Gloria L. Watkins

Approved on: July 14, 2004

Linda B. Rodeffer, Clerk to the
Fairfax County Planning Commission